

FW

Practitioner's Docket No. 2815/105

PATENT

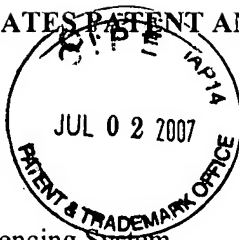
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Johnson et al.

Serial No: 10/705,571

Date Filed: November 10, 2003

Invention: Dial Up Telephone Conferencing System
Controlled by an Online Computer Network



Atty Dkt: 2815/105

Art Unit: 2664

Examiner: W. Chin

Date: June 28, 2007

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Commissioner for Patents
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TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

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37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*

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A handwritten signature in black ink, appearing to read "Robert M. Asher".

Signature

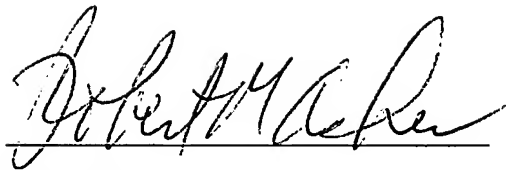
Date: June 28, 2007

Robert M. Asher

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

DATE: June 28, 2007

A handwritten signature in black ink, appearing to read "Robert M. Asher", written over a horizontal line.

Robert M. Asher
BROMBERG & SUNSTEIN LLP
Customer Number 02101
125 Summer Street
Boston, MA 02110-1618
US

02815/00105 693656.1



Practitioner's Docket No.. 2815/105

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Johnson et al.

Application No.: 10 / 705,571

Group No.: 2664

Filed: November 10, 2003

Examiner: W. Chin

For: Dial Up Telephone Conferencing System Controlled by an Online Computer Network

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

(Supplemental Information Disclosure Statement--page 1 of 13)

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this correspondence is being:

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[x] deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10*

[] as "Express Mail Post Office to Addressee"

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Mailing Label No. _____ (mandatory)

TRANSMISSION

[] transmitted by facsimile to the Patent and Trademark Office.

Signature

Robert M. Asher

(type or print name of person certifying)

Date: June 28, 2007

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"Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
- (2) Within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or
- (3) Before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. section 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. section 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. section 1.56(c).

NOTE: The "duty as described in section 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by sections 1.97(b) - (d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13-25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. section 1.51(b).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7A. ☐ JEPO Search Report
 - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections _____, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

SECTION 2. FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Johnson et al. Attorney Docket: 2815/105
Serial No: 10/705,571 Art Group Unit: 2664
Date Filed: November 10, 2003 Examiner Name: W. Chin
Invention: Dial Up Telephone Conferencing System Controlled by an Online Computer Network

**LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

OTHER DOCUMENTS			
Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	VS		Defendant Comcast Corporation's Responses to Plaintiff Caritas Technologies, Inc.'s First Set of Interrogatories, 11/28/05, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	VT		Defendant Comcast Corporation's Preliminary Construction and Citations to Extrinsic Evidence for Claim Terms from the '779 Patent, 1/9/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	VU		Plaintiff Caritas Technologies, Inc.'s Answers and Objections to Defendant, Comcast Corp.'s First Set of Interrogatories, 1/26/07, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	VV		Defendant Comcast Corporation's Responses to Plaintiff Caritas Technologies, Inc.'s Second Set of Interrogatories, 3/22/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	VW		Plaintiff Caritas Technologies, Inc.'s Supplemental Answers and Objections to Defendant, Comcast Corp.'s First Set of Interrogatories, Nos. 1-7, 3/27/06,

(Supplemental Information Disclosure Statement--page 4 of 13)

Applicants: Johnson et al.

Attorney Docket: 2815/105

Serial No: 10/705,571

Art Group Unit: 2664

Date Filed: November 10, 2003

Examiner Name: W. Chin

Invention: Dial Up Telephone Conferencing System Controlled by an Online Computer Network

			in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	VX		Plaintiff Caritas Technologies, Inc.'s Preliminary Claim Construction and Extrinsic Evidence, Patent Local Rule 4-2, 4/06/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	VY		Defendant Comcast Corporation's Third Set of Supplemental Responses to Plaintiff Caritas Technologies, Inc.'s First Set of Interrogatories, 4/14/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	VZ		Joint Claim Construction and Prehearing Statement Local Patent Rule 4-3, 4/21/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WA		Defendant Comcast Corporation's Fourth Set of Supplemental Responses to Plaintiff Caritas Technologies, Inc.'s First Set of Interrogatories, 5/12/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WB		Caritas' Opening Claim Construction Brief, 6/09/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WC		Appendix in Support of Caritas' Opening Claim Construction Brief, 6/09/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.

Applicants: Johnson et al.

Attorney Docket: 2815/105

Serial No: 10/705,571

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	WD		Declaration of Leonard J. Forys in Support of Caritas' Opening Claim Construction Brief, 6/09/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WE		Defendant Comcast Corp.'s Responses to Plaintiff Caritas Technologies, Inc.'s Third Set of Interrogatories, 6/12/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WF		Defendant Comcast Corp.'s Claim Construction Brief, 6/23/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WG		Declaration of Asim M. Bhansali in Support of Defendant Comcast Corp.'s Claim Construction Brief, 6/23/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WH		Caritas' Reply Claim Construction Brief, 6/30/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WI		Appendix in Support of Caritas' Reply Claim Construction Brief, 6/30/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WJ		Declaration of Leonard J. Forys in Support of Caritas' Reply Claim Construction Brief, 6/30/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.

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Invention: Dial Up Telephone Conferencing System Controlled by an Online Computer Network

	WK		Joint Claim Construction Charts, 7/17/06, in <i>Caritas Technologies, Inc.'s v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WL		Markman Hearing, 7/31/06, in <i>Caritas Technologies, Inc.'s v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WM		Defendant Comcast Corp.'s Fifth Supplemental Response to Plaintiff Caritas Technologies, Inc.'s Interrogatory No. 8, 8/22/06, in <i>Caritas Technologies, Inc.'s v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WN		Opening Expert Report of Dr. Patrick E. White, 9/28/06, in <i>Caritas Technologies, Inc.'s v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WO		Opening Expert Report of Dr. Pierce D. Wellner, 9/28/06, in <i>Caritas Technologies, Inc.'s v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WP		Opening Expert Report of Larry L. Campbell, 9/28/06, in <i>Caritas Technologies, Inc.'s v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WQ		Expert Report of Mark E. Nusbaum, 9/28/06, in <i>Caritas Technologies, Inc.'s v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WR		Rebuttal Expert Report of Charles E. Van Horn, 10/16/06, in <i>Caritas Technologies, Inc.'s v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.

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	WS		Report of Dr. Leonard J. Forys, 10/16/06, in <i>Caritas Technologies, Inc.'s v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WT		Defendant Comcast Corp.'s Supplemental Response to Plaintiff Caritas Technologies, Inc.'s Interrogatory No. 13, 10/18/06, in <i>Caritas Technologies, Inc.'s v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WU		Defendant Comcast Corp.'s Second Supplemental Response to Plaintiff Caritas Technologies, Inc.'s Interrogatory No. 7, 10/19/06 in <i>Caritas Technologies, Inc.'s v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	WV	Dialogic	Product Description: Dialogic CT Connect, Version 1.0, July 1995.
	WW	DEC	Computer Integrated Telephony (CIT) Linking Voice Switches to Digital Computers: Standards-Based, Open Platform for Call Center Solutions, 1991.
	WX	DEC	Software Product Description: DEC Computer Integrated Telephony Application Interface for ULTRIX, Version 3.0, September 1991.
	WY	DEC	Software Product Description: DEC Computer Integrated Telephony Server 100/500, Version 1.0, September 1991.
	WZ	DEC	CallCenterPLUS: Taking a Closer Look at the Next Generation Call Center, 1993.
	XA	DEC	CIT Applications Interface for Microsoft Windows: Full-Featured Telephone Integration for the Desktop, 1993.
	XB	Fallgatter et al.	Dataquest Perspective: Switch-to-Host Interfaces: An Overview of the Technology, Standards, and Applications, Feb. 22, 1991.
	XC	Rasmus	Dataquest Perspective: The Switch-Computer Integration Market-A New Silver Bullet or Just Another Niche? July 13, 1992.

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	XD	The Aries Group	"More About DEC's CallCenterPLUS", Telecommunications Product Review, Vol. XIX, No. 12, pp. 1-4, December 1992.
	XE	DEC	Fax re: DEC CIT Profile, July 26, 1990.
	XF	DEC	Digital's Computer Integrated Telephony Platform: Functionally Integrated Voice/Data Solutions, 1991.
	XG	DEC / Nortel	Press Conference and Demos: DEC's CIT Program and Products and Nortel's ISDN/AP Protocol, March 14, 1989.
	XH	DEC	Diagram: Typical CIT Configuration, March 14, 1989.
	XI	Nortel	Press Release: Northern Telecom Announces Availability of ISDN Applications Protocol Software, March 14, 1989.
	XJ	DEC	Press Release: Digital and Northern Telecom Announce Communications Capabilities for Enterprise-Wide Integration of Voice and Data, March 14, 1989.
	XK	DEC	Collection of News Articles (SS7), March 1989.
	XL	DEC	1. Cover Memo 2. Collection of News Articles, April 4, 1989.
	XM	DEC	DEC CIT Applications Interface for ULTRIX Programming Reference (E-9 to F-22), October 1991.
	XN	AT&T	AT&T to Integrate Web and Long Distance Network to Let Surfers Click to Talk to a Service Agent, August 27, 1996.
	XO	Horn et al.	A Versatile Audio Bridge for Multimedia Conferencing, 1994.
	XP	Simpson	RFC 1661: The Point-to-Point Protocol (PPP), July 1994.
	XQ	Macedonia et al.	MBone Provides Audio and Video Across the Internet, April 1994.
	XR		Motion for Entry of Judgment Pursuant to Rule 54(b), for Certification of Appeal, and to Stay Further Proceedings Pending Appeal, 10/23/06, in <i>Caritas Technologies, Inc.'s v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.

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Invention: Dial Up Telephone Conferencing System Controlled by an Online Computer Network

	XS		(Proposed) Final Judgment of Non-Infringement, 10/23/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	XT		Joint Submission in Response to Order Setting a Hearing on the Parties' Joint Motion for Entry of Judgment Pursuant to Rule 54(b), for Certification of Appeal, and to Stay Further Proceedings Pending Appeal, 11/06/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	XU		Order GRANTING Motion for Entry of Judgment Under Rule 54(b) and Administratively Closing Case, 11/09/06, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	XV		Order regarding Joint Motion for Entry of Judgment Under Rule 54(b) signed by Judge Folsom, 11/09/06 in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	XW		Final Judgment of Non-Infringement signed by Judge Folsom, 11/09/06 in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. District Court for the Eastern District of Texas Marshall Division, 2:05-CV-339-DF.
	XX		Brief of Plaintiff-Appellant Caritas Technologies, Inc., 01/19/07, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. Court of Appeals for The Federal Circuit, 2:05-CV-339-DF.
	XY		Brief of Appellees, 3/5/07, in <i>Caritas Technologies, Inc. 's v. Comcast Corporation</i> , U.S. Court of Appeals for The Federal Circuit, 2:05-CV-339-DF.

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	XZ		Reply Brief of Plaintiff-Appellant Caritas Technologies, Inc., 3/22/07, in <i>Caritas Technologies, Inc.'s v. Comcast Corporation</i> , U.S. Court of Appeals for The Federal Circuit, 2:05-CV-339-DF.
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Examiner Signature: _____

Date Considered: _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation *if not* in conformance and not considered. Include copy of this form with next communication to applicant.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. section 1.98(a)(2) requires that any information disclosure statement filed under section 1.97 shall include: "A legible copy of: (i) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included. . . ."

NOTE: The wording in section 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

☒ Exception(s) to above:

U.S. patent citations are not included pursuant to the United State Patent and Trademarks Office's September 21, 2004 waiver of the copy requirement in 37 CFR 1.98 for cited pending U.S. patent citations when the patent citations are available in the USPTO's IFW system.

☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.

☐ Cumulative patents or publications identified in Section 5.

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this certification is

(check each applicable item)

- (a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. section 1.56(c))

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

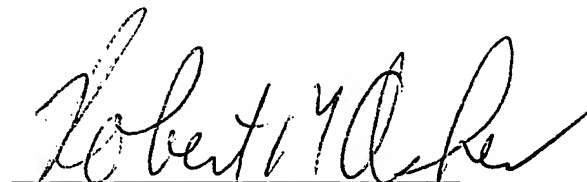
- (c) ☒ the practitioner who signs below on the basis of the information:

(check each applicable item)

☐ supplied by the inventor(s).

☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. section 1.56(c)).

☒ in the practitioner's file.



SIGNATURE OF PRACTITIONER

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02815/00105 660491.1

Robert M. Asher

(type or print name of practitioner)

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